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July 11, 2022

VIA ECF
Hon. Kiyo A. Matsumoto
United States District Court Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Broecker et al., v. Scheinman Arbitration et al
Docket No.: 21-cv-6387
VBPNP File No.: 72-066

Dear Judge Matsumoto:

The undersigned represents Defendants Martin F. Scheinman, Scheinman Arbitration and Mediation Services, and Scheinman Arbitration and Mediation Services, LLC (hereinafter “Scheinman Defendants”). Plaintiffs’ request to supplement their opposition to Defendants’ motions to dismiss should be denied as the recently issued award is immaterial and irrelevant to the Plaintiffs allegations against Arbitrator Scheinman in this case, namely, whether the arbitrator had authority to arbitrate and issue binding awards. As delineated in the codefendants letter to court (ECF No.134, ECF No.135), the two sets of Plaintiffs are dissimilar, and the June 27 Opinion and Award is inapplicable to the case at bar.

Furthermore, under the guise of the purportedly newly discovered documents, Plaintiffs attempt to argue, once again, that Arbitrator Scheinman conspired with the state actors. Plaintiffs allege that by issuing the awards, Arbitrator Scheinman “actively participated in the violation of the Plaintiff’s due process rights.” To put it simply, Plaintiffs claim that “the language written by Scheinman in the Opinion and Award” and his words therein arise to the level of direct participation in constitutional deprivation. This argument is nonsensical and must fail. Adopting Plaintiffs reasoning would lead to absurd results; it would render judicial immunity entirely null and void and is therefore entirely against public policy.

For the reasons stated above, Scheinman Defendants respectfully requests that the Court denies Plaintiffs’ application.

Respectfully submitted,
Karolina Wiaderna
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cc: all counsel of record